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FACT SHEET

R E C E I V E D

APR 15 1985

OMC Hazardous Waste Site Waukegan Harbor, Illinois

The Outboard Marine Corporation (OMC) site is located near the intersection of Grand Avenue and Sheridan Road on the west shore of Lake Michigan in Waukegan, Illinois. Movement of polychlorinated biphenyls (PCBs) from the OMC site through the groundwater, surface water, and past direct discharges has contributed to at least 1.1 million pounds of PCBs in Lake Michigan's Waukegan Harbor.

Given the high concentrations of PCBs in the Harbor EPA has developed a plan for clean up of Waukegan Harbor under the authority of Superfund.

This fact sheet summarizes action taken by the U.S. Environmental Protection Agency both to define the PCB contamination in Waukegan Harbor and to proceed with that cleanup.

History of Events

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| March 1978 | EPA files suit against OMC under the Clean Water and Refuse Acts seeking a site cleanup and civil penalties. |
| December 1980 | The Comprehensive Environmental Response, Compensation and Liability Act (Superfund) is enacted, enabling the Federal government to assess liabilities to generators of hazardous wastes. |
| January 1983 | EPA states in court that it will finance and perform a Superfund cleanup at the Waukegan Harbor site. |
| July 1983 | EPA completes a Feasibility Study outlining various cleanup options. |
| July to September 1983 | Public comment period on those cleanup options is held. |
| March to April 1984 | A second public comment period is held on modified cleanup options. |
| May 16, 1984 | EPA authorizes a \$21 million cleanup at Waukegan Harbor. |

(over)

May 22, 1984 EPA moves to dismiss the 1978 lawsuit since the cleanup of the site will be done by EPA.

February 6, 1985 The Federal District Court dismisses the original EPA lawsuit allowing EPA to file a future suit under Superfund to recover government costs.

February 7, 1985 After negotiations, OMC denies EPA entry to its property.

February 13, 1985 EPA obtains an administrative warrant to enter OMC's property to perform soil borings, survey work, and a walk-through of the non-building portions of OMC property in order to complete engineering plans for the cleanup.

February 14, 1985 OMC refuses to grant EPA access to its property despite the warrant.

February 15, 1985 EPA moves to hold OMC in contempt of court. OMC moves to invalidate the warrant.

March 20, 1985 The warrant to enter OMC's property is upheld by a Federal Magistrate.

March 21, 1985 Through an emergency motion requested by OMC, EPA is prohibited from entering OMC's property for 20 days. OMC plans to file injunctive actions against EPA during that time period.

April 8, 1985 OMC sues EPA to permanently prohibit entry under the warrant.

April 11, 1985 OMC moves for a preliminary injunction restraining EPA from executing the warrant while the lawsuit is pending.

April 15, 1985 EPA moves to dismiss the OMC lawsuit and to deny the motion for a preliminary injunction.